

<i>Original By-law</i>	<i>Proposed By-law</i>
<p><b>Article 2–1, Sec. 2</b> <b>General Provisions</b></p> <p>All Departments, Boards Committees and Commissions and elected Officers charged with the expenditure of Town funds shall annually prepare a budget, detailing estimates of the amounts necessary to carry on Town's business entrusted to them, for the ensuing year. Figures covering the previous year's appropriation shall be provided by them as well as figures indicating amounts expended two years previous to the estimate presented. They shall also prepare estimates of any income may be received by the Town during the ensuing year in connection with the Town's business or property in their care. The Board of Selectmen shall include in their estimates, the salaries of all Elected Town Officers and all other items not provided for. The salaries of all other persons shall be included in the estimates of the Officers, Boards, Committees or Commissions appointing them. The Treasurer shall include in his estimates the amounts required for the payment of interest on the obligations of the Town and the amounts of maturing indebtedness during the succeeding year.</p> <p>Seventeen (17) such estimates and explanations shall be filed with the Town Accountant on or before December 31<sup>st</sup>, and said Town Accountant shall retain one copy and deliver a copy to each member of the Board of Selectmen, plus a copy for their file, a copy to each member of the Finance Committee, plus a copy for that Committee's file.</p>	<p><b>Article 2–1, Sec. 2</b> <b>General Provisions</b></p> <p>All Departments, Boards Committees and Commissions and elected Officers charged with the expenditure of Town funds shall annually prepare a budget, detailing estimates of the amounts necessary to carry on Town's business entrusted to them, for the ensuing year. Figures covering the previous year's appropriation shall be provided by them as well as figures indicating amounts expended two years previous to the estimate presented. They shall also prepare estimates of any income may be received by the Town during the ensuing year in connection with the Town's business or property in their care. The Board of Selectmen shall include in their estimates, the salaries of all Elected Town Officers and all other items not provided for. The salaries of all other persons shall be included in the estimates of the Officers, Boards, Committees or Commissions appointing them. The Treasurer shall include in his estimates the amounts required for the payment of interest on the obligations of the Town and the amounts of maturing indebtedness during the succeeding year. Seventeen (17) such estimates and explanations shall be filed with the Town Accountant on or before December 31<sup>st</sup>, and said Town Accountant shall retain one copy and deliver a copy to each member of the Board of Selectmen, plus a copy for their file, a copy to each member of the Finance Committee, plus a copy for that Committee's file.</p> <p><b><i>Within forty five (45) days of the Town Administrator's request, such estimates and explanations shall be submitted to the Town Administrator. The Town Administrator shall prepare, assemble and present annually to the Board of Selectmen for its review and approval a</i></b></p>

<p><b>Article 2-1, Sec. 11</b> <b>General Provisions</b></p> <p>. All three items shall be furnished to the Town Accountant and Finance Committee no later than January 15th of each year. The Board of Selectmen may at any time, without notice, make or cause to be made an independent inventory of all property. Said inventories shall be filed with the Town Accountant.</p> <p><b>Article 2-11, Sec. 1</b> <b>Capital Improvement</b></p> <p>The Executive Secretary, Assessor/Appraiser, Town Accountant and the Treasurer/Collector shall serve as non-voting members.</p> <p><b>Article 2-12, Section 1C</b> <b>Classification &amp; Compensation</b></p> <p>c. Covered by negotiated contracts between the Board of Selectmen and Hanson Police Club/I.B.P.O. #467; Local 2713 International Association of Firefighters, AFL-CIO; AFMSCE:AFL-CIO State Council 93, Local 1700 and the Chief of Police Department.</p>	<p><i>budget for the ensuing fiscal year. Seven (7) copies of the recommended estimated budget shall be forwarded to the Finance Committee on or before January 31<sup>st</sup>. Additionally one copy of the budget shall be forwarded to the Town Accountant.</i></p> <p><b>Article 2-1, Sec. 11</b> <b>General Provisions</b></p> <p>All three items shall be furnished to the <b>Town Administrator</b> and Town Accountant and Finance Committee no later than January 15th of each year. The Board of Selectmen may at any time, without notice, make or cause to be made an independent inventory of all property. Said inventories shall be filed with the <b>Town Administrator</b> and Town Accountant.</p> <p><b>Article 2-11, Sec. 1</b> <b>Capital Improvement</b></p> <p>The <b>Town Administrator</b> Assessor/Appraiser, Town Accountant and the Treasurer/Collector shall serve as non-voting members. The committee shall choose its own officers.</p> <p><b>Article 2-12, Section 1C</b> <b>Classification &amp; Compensation</b></p> <p>c. Covered by negotiated contracts between the Board of Selectmen and Hanson Police Club/I.B.P.O. #467; Local 2713 International Association of Firefighters, AFL-CIO; AFMSCE:AFL-CIO State Council 93, Local 1700 the Chief of the Police Department <b>and the Chief of the Fire Department</b></p>
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**Article 2-12, Section 1C  
Classification & Compensation**

e. Covered by negotiated contracts between the Board of Selectmen and the Executive Secretary to the Board of Selectmen.

**Article 2-12, Section 1C  
Classification & Compensation**

**New subsection (i)**

**Article 2-12, Section 2  
The Personnel Board**

**SECTION 2B.** The Personnel Board shall consist of three (3) unpaid members who shall not be employees or paid elected officials of the Town. The members of the Personnel Board shall be appointed by the Town Moderator. One position to be appointed for one (1) year, one position to be appointed for two (2) years, one position to be appointed for three (3) years; and thereafter appointments to be for three year terms.

**SECTION 2C.** If any member of the Personnel Board shall resign or otherwise vacate his office before the expiration of his term, his successor shall be appointed by the Moderator within thirty days of the declared vacancy for the balance of the unexpired term. Failure to attend four consecutive meetings, or six total meetings in a calendar year by a member shall constitute a vacancy.

**Article 2-12, Section 1C  
Classification & Compensation**

Covered by negotiated contracts between the Board of Selectmen and the **Town Administrator**

**Article 2-12, Section 1C  
Classification & Compensation**

i. *Covered by a negotiated contract between the Board of Selectmen and the Conservation Agent.*

**Article 2-12, Section 2  
The Personnel Board**

**Section 2B** *The Board of Selectmen shall serve as the Personnel Board. The Town Administrator shall serve as the Personnel Director of the town responsible for the administration of all personnel matters, including personnel by-laws and all personnel policies and regulations that the Board of Selectmen may adopt. This shall include the enforcement of personnel policies, rules and regulations and managing personnel costs, including salaries, benefits, overtime, and use of town-owned vehicles for employees under the jurisdiction of the Board of Selectmen.*

**SECTION 2C. DELETED**

<p><b>SECTION 2D.</b> Original appointments to the Personnel Board under this By-Law; and sufficient appointments shall be made within thirty days following the expiration of the term of the Board member who is to be replaced.</p> <p><b>Article 2-12, Section 3B</b> <b>The Duties of the Personnel Board</b></p> <p>The Board shall, immediately following the annual appointment of the new member or new members, meet and organize by electing a chairman and clerk.</p> <p><b>Article 2-12, Section 3G</b> <b>The Duties of the Personnel Board</b></p> <p>The Board shall make a general report, in writing, to the Board of Selectmen at a date which will allow the report to be included in the Annual Town Report.</p> <p><b>Article 2-12, Section 3H</b> <b>The Duties of the Personnel Board</b></p> <p>The Personnel Officer shall maintain personnel records of all employees occupying positions subject to the Classification and Compensation Plans</p> <p><b>Article 2-12, Section 7A</b> <b>Compensation Adjustments</b></p> <p>Every employee in a position covered by this by-law must be considered for an increase in compensation within their classification annually. Annual increases are not automatic but based on the appropriate Board and/or Manager's appraisal of the employee's ability and work performance, the Wage &amp; Personnel</p>	<p><b>SECTION 2D. DELETED</b></p> <p><b>Article 2-12, Section 3B</b> <b>The Duties of the Personnel Board</b></p> <p><i>The Board shall, immediately following the annual <b>election, meet and organize by electing a chairman and clerk whose appointment will run concurrent as that of the Board of Selectmen</b> .</i></p> <p><b>Article 2-12, Section 3G</b> <b>The Duties of the Personnel Board</b></p> <p><i>The Board shall make a general report for inclusion in the Annual Town Report.</i></p> <p><b>Article 2-12, Section 3H</b> <b>The Duties of the Personnel Board</b></p> <p>The Personnel <b>Director</b> shall maintain personnel records of all employees occupying positions subject to the Classification and Compensation Plans.</p> <p><b>Article 2-12, Section 7A</b> <b>Compensation Adjustments</b></p> <p><i>Every employee in a position covered by this by-law must be considered for an increase in compensation within their classification annually. Annual increases are not automatic but based on the <b>evaluation by the Town Administrator of the employee's ability and work performance.</b></i></p>
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Board's research for a fair and equitable salary range and the economic conditions for the Town. The Wage and Personnel Board requires a copy of the evaluation tool when considering adjustments to ranges on any position falling within the jurisdiction of the Wage and Personnel Board, unless otherwise indicated by the Board.

#### **Article 2-12, Section 8A**

**HIRING.** The Town Department Heads are the recognized hiring agents for their departments, however, the Wage and Personnel Board shall review all new personnel requests for approval prior to the act of hiring by the Department Head.

#### **Article 2-12, Section 8C**

**HIRING POLICY.** Whenever possible, promotion or hiring shall be from within the Town departments. When a job opening exists, the Department Head shall post a notice of the job opening on the Town Hall bulletin board for a period of two weeks. If there are no qualified applicants, the Department Head shall advertise for the job in a newspaper having circulation within the Town. The advertisement shall describe the job, duties and minimum qualifications and where and when application may be made..

#### **Article 2-12, Section 8D**

**PROBATIONARY PERIOD.** The first three months of employment shall be a probationary period. During the probationary period, the Department Head shall notify the Personnel Board if the employee's performance and ability warrants continued employment. The department has the right to terminate

#### **Article 2-12, Section 8A**

**HIRING.** *The Town Administrator will recommend appointments and hires to the relevant appointing authority.*

#### **Article 2-12, Section 8C**

**HIRING POLICY.** Whenever possible, promotion or hiring shall be from within the Town departments. When a job opening exists, the *Town Administrator* shall post a notice of the job opening on the Town Hall bulletin board for a period of two weeks. If there are no qualified applicants, the *Town Administrator* shall advertise for the job in a newspaper having circulation within the Town. The advertisement shall describe the job, duties and minimum qualifications and where and when application may be made..

#### **Article 2-12, Section 8D**

**PROBATIONARY PERIOD.** The first three months of employment shall be a probationary period. During the probationary period, the Department Head shall notify the *Town Administrator* if the employee's performance and ability warrants continued employment. . *The Town Administrator shall recommend the*

<p>unsatisfactory employees at any time.</p> <p><b>Article 2-12, Section 8G</b></p> <p><b>TERMINATION.</b> An employee may be terminated from employment by the employee's Department Head for just cause, provided that the Department Head has given the employee a written warning prior to termination. Upon completion of the warning period, the department may terminate the employee if adequate work performance improvement has not occurred.</p> <p><b>Article 2-12, Section 9</b> <b>Payroll Accounting</b></p> <p><b>Sec. 9A</b> Department Heads are required to notify the Town Treasurer, Town Accountant and Executive Secretary of all pay rates and pay rate changes so that the appropriate payroll and accounting records may be made.</p> <p><b>Article 2-12, Section 11C</b> <b>Part time positions</b></p> <p><b>New Sections W &amp; X</b></p> <p><b>Article 2-12, Section 12D</b> <b>Vacation Leave</b></p> <p>4. An employee who has completed fifteen (15) continuous years of service shall be granted twenty-five (25) days</p>	<p><i>appointment or removal to the relevant appointing authority.</i></p> <p><b>Article 2-12, Section 8G</b></p> <p><b>TERMINATION.</b> (5/02) <i>An employee may be terminated from employment by the Town Administrator for just cause after the employee has been given a written warning by the Department Head; fails to show adequate improvement in work performance during the warning period; and the relevant appointing body votes affirmatively for termination.</i></p> <p><b>Article 2-12, Section 9</b> <b>Payroll Accounting</b></p> <p><b>Sec. 9A</b> Department Heads are required to notify the Town Treasurer, Town Accountant and <i>Town Administrator</i> of all pay rates and pay rate changes so that the appropriate payroll and accounting records may be made.</p> <p><b>Article 2-12, Section 11C</b> <b>Part time positions</b></p> <p><i>New Section W Transfer Station Attendant 7/1/06 XXX 7/1/07 \$15.28 to 17.92</i> <i>New Section X Senior Center Support Staff 7/1/06 XXX 7/1/07 \$8.00 to \$10.00</i></p> <p><b>Article 2-12, Section 12D</b> <b>Vacation Leave</b></p> <p>4. An employee who has completed fifteen (15) continuous years of service shall be granted twenty-five (25) days</p>
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<p>vacation leave with regular pay. (5/02)</p> <p><b>New Subsections 5 &amp; 6</b></p> <p><b>Article 2-12, Section 12E Sick Leave</b></p> <p>No sick leave with pay shall be granted during the first three months of employment. After three months of service, a new employee shall be granted sick leave at a rate of one day per month, retroactive to the date employed.</p> <p>b. Any employee with more than three months of service can extend his present sick accrual up to a maximum of one hundred sixty five (165) days, at the rate of one and one quarter days per month. Sick leave shall accumulate during vacation leave and during sick leave, exclusive of job related injuries or illnesses.</p> <p>c. If the amount of sick leave accrued under Section 12E.b. of this By-Law has been, or is about to be exhausted, an employee may make application for additional to that provided under Section 12E.b. of this plan. Such application containing the approval of the employees Department Head shall be made to the Personnel Board which is authorized to</p>	<p>vacation leave with regular pay. (5/02)</p> <p><b>5. An employee who has completed twenty (20) continuous years of service shall be granted twenty-seven (27) days of vacation leave with regular pay.</b></p> <p><b>6. An employee who has completed twenty-five (25) continuous years of service shall be granted thirty (30) days of vacation leave with regular pay.</b></p> <p><b>Article 2-12, Section 12E Sick Leave</b></p> <p><b>A. Unlimited sick leave shall be granted for sickness or injury to the employee.</b></p> <p><b>B. Sick leave shall be considered to be absence from duty without loss of pay for the following reasons:</b></p> <p><b>1. Employee's illness or injury except where directly traceable to an employer other than the Town or to a work- related injury or illness covered by Massachusetts General Laws or intentionally self-inflicted injury.</b></p> <p><b>2. Medical, optical or dental treatment required for an employee when such treatment cannot be accomplished on off-duty hours.</b></p> <p><b>3. When serious illness of any employee's immediate family requires his/her personal attendance.</b></p> <p><b>C. No sick leave shall be refused for</b></p>
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grant such additional allowances as it may determine to be equitable after reviewing all circumstances including the Department Head's recommendation, the employee's attendance and job performance record and length of continuous service with the Town. Consideration shall also be given as to what portion of the additional leave shall be granted at full pay and what portion at partial pay. In no case shall the additional sick leave granted total more than thirty (30) days. Any unused portion of additional sick leave granted shall not be credited to the employees accumulated sick leave.

d. A Department Head may require an employee to submit a physician's certificate of illness after five (5) work days of absence. Failure to submit this certificate shall result in cessation of payment.

e. The Department Head is required to accurately record each employee's attendance; noting tardiness, vacation, holiday pay, illness and other absences. This shall be submitted to the Wage and Personnel Board on forms designated by them with a copy to be sent to the Executive Secretary.

f. The Department Head and/or the Wage and Personnel Board may require a physician's examination and statement of an employee's fitness to return to work following an employee's absence due to injury or sickness. Such examination and statement to be at the expense of the Town.

g. Injury, illness, or disability self-imposed, or resulting from the use of drugs shall not be considered a proper claim for leave under this section.

h. Payments made under the provisions of this section shall be limited in

*an obvious personal injury or a situation requiring non-elective surgery. If a dispute arises concerning a return date for employment, procedures set forth under Section C2, item b of this Article shall be followed.*

*1. Abuse or falsification of any of the sick leave provisions shall be cause for disciplinary action.*

*2 Notification of absence shall be given to the Selectmen's Office as early as possible on the first day of absence.*

*3. Payments under the provisions of this Article shall be limited, in the case of employee who is receiving Workmen's Compensation payments, to the difference between the amount paid in Workmen's Compensation and the employee's regular rate. This co-payment shall not go or be extended beyond period of six (6) months duration.*

*D. Sick leave shall be granted in accordance with the following provisions:*

*1. Sick days granted numbering one (1) through ten (10) in a given absence shall be under the direct supervision of the Town Administrator and all such leave shall be subject to his approval, and such approval shall not unreasonably be withheld.*

*2. On or before the completion of the tenth consecutive sick day, the Town Administrator shall convene the Board of Review, said Board of Review to consist of a member of the Board of Selectmen, the Town Administrator and the Department Head. The Board of Review shall conduct a hearing and by majority vote, take action on any of the following*



the case of an employee who is receiving Workman's Compensation payments to the difference between the amount paid in Workman's Compensation and the employees regular rate. But in no case shall such sick leave increments extend beyond a period of six (6) months.

i. After one year of service, an employee may be granted three (3) days per year for illness in his immediate family, (as defined in Section 12G) chargeable to sick leave when authorized by employees Department Head.

j. Sick leave payment shall be granted at the employee's regular rate of pay unless otherwise specified as in Section 12E.c. Sick leave may be granted by the department Head for a single day absence due to illness, injury, or regular medical, optical or dental treatment.

k. Nothing in this section shall be construed to conflict with Section 100 of Chapter 41 of the General Laws.

l. Upon termination of employment with the Town due to the employee's retirement or death, the employee, or in the event of death, the employees estate, shall be given one days pay for each three days of the unused portion of the employee's accumulated sick leave.

**recommendations:**

**a. Extend the sick leave for a specified amount of time, with full pay or proportion thereof, and conduct another hearing upon expiration of the time specified.**

**b. Require the individual to produce a medical certificate and/or their own examination of the individual by a recognized medical authority.**

**c. Terminate the sick leave. If the individual remains absent from employment, it will be without pay, and the Review Board may recommend disciplinary action to follow.**

**d. Make a recommendation that steps be taken to terminate the individual's employment.**

**e. Any employee who retires prior to June 30, 2009 shall be entitled to buy back their accumulated sick time at a rate of one day's pay for each three (3) days of the unused portion of the employee's accumulated sick leave. Said employees will continue to accumulate their sick leave at a rate of one and one quarter (1 1/4) days per month until retirement. In the event of death of an employee, the employees estate, shall be given one days pay for each three days of the unused portion of the employee's accumulated sick leave. However in no event shall the total accumulated sick leave exceed 165 days.**

**f. The Department Head is required to accurately record each employees attendance; noting tardiness, vacation, holiday pay, illness and other absences. This shall be submitted to the Town Administrator on forms designated by him/her.**

**g.** The **Town Administrator and/or the** Department Head may require a physicians examination and statement of an employees fitness to return to work following an employee's absence due to injury or sickness. Such examination and statement to be at the expense of the Town.

**h.** Injury, illness, or disability self-imposed, or resulting from the use of drugs shall not be considered a proper claim for leave under this section.

**i.** Payments made under the provisions of this section shall be limited in the case of an employee who is receiving Workman's Compensation payments to the difference between the amount paid in Workman's Compensation and the employees regular rate. But in no case shall such sick leave increments extend beyond a period of six (6) months.

**j.** Sick leave payment shall be granted at the employee's regular rate of pay unless otherwise specified as in Section 12E.c. Sick leave may be granted by the Department Head for a single day absence due to illness, injury, or regular medical, optical or dental treatment.

**k.** Nothing in this section shall be construed to conflict with Section 100 of Chapter 41 of the General Laws.

<p><b>Article 2-12, Section 12K</b> <b>Physical Examination</b></p> <p><b>Subsection c</b> It is the responsibility of the Department Head or one delegated the responsibility of interviewing and hiring job applicants to insure that applicants have successfully passed a physical examination prior to job acceptance.</p>	<p><b>Article 2-12, Section 12K</b> <b>Physical Examination</b></p> <p><i><b>Subsection c. The Town Administrator shall</b></i> ensure that applicants have successfully passed a physical examination prior to job acceptance.</p>